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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/596,466	06/19/2000	Craig L. Reding	Bell-19	3940

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LEONARD C. SUCHYTA
C/O CHRISTIAN R. ANDERSEN
VERIZON SERVICES GROUP
600 HIDDEN RIDGE DRIVE MAIL CODE HQE03H01
IRVING, TX 75038

EXAMINER

AGDEPPA, HECTOR A

ART UNIT

PAPER NUMBER

2642

4

DATE MAILED: 09/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/596,466

Applicant(s)

REDING ET AL.

Examiner

Hector A. Agdeppa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 – 5, 7, 9 – 18, 20, 21, 23 – 29 is rejected under 35 U.S.C. 102(b) as being anticipated by US Pat 5,884,032 (Bateman et al.)

As to claims 1 - 3, 9, 11, 15 - 17, 21, and 23 – 25, Bateman et al. teach a call center/ACD system, wherein, a customer may be using the Internet to access various call center services and may request via an html prompt/button displayed on the call center web page(s), "Live Help" from a live agent. (Col. 6, lines 1 – 30). The system further assigns an agent, if one is available, to answer the live help request. The help request message can contain either the customer's telephone number or IP address or email address, etc depending on whether the call is to be completed via a telephone switch or the use of Voice over IP, or even if the customer desires communications over email or fax. (Col. 6, line 31 – Col. 7, line 13).

Furthermore, in one embodiment, Bateman et al. teach that a call is made to both the customer's telephone line AND to the call center agent. Therefore, it is inherent that both telephone numbers of the customer and the agent must be transmitted so a call may be bridged between the two parties. (Col. 8, lines 42 – 61). When Voice over IP communications are desired BOTH originating and terminating IP addresses are

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needed hence including both the customer and agent IP addresses. (Col. 7, lines 9 – 11).

In that same embodiment, Bateman et al. teaches the interconnections between the customer premises and the call center are made via the web using broadband connections. It is inherent in broadband communications using the Internet that TCP/IP is used as one of the protocols for transmitting and receiving data. See also Col. 6, lines 25 – 30.

As to claims 4 and 18, see the above rejection and note that Bateman et al. teach allowing a customer to specify a preferred calling time to the agent. (Col. 6, lines 23 – 25).

As to claim 5, Bateman et al. teach providing the URL of the web page the customer was accessing when they requested the live help to allow the agent to better serve them and also allows the agent and customer to simultaneously view the same web page for even better service. (Col. 6, lines 19 – 60).

As to claims 7, 19, and 20, see the above rejection and note that either the agent telephone or IP address reads upon the claimed "customer service representative information."

As to claim 10, see the above rejection and note that the customer telephone number or the URL of the web page they were viewing prior to the call or even another URL reads upon the claimed "information associated with said user..."

As to claims 12 and 14, see Col. 5, lines 1 – 12 wherein all the various types of connections are contemplated by Bateman et al. Furthermore, Bateman et al.

contemplates having local or remote agents and the required infrastructure to allow for this. (Col. 4, lines 51 – 67)

As to claim 13, because the system of Bateman et al. is to be used with call centers dealing with products and services, sales information being sent to the customer is inherent. (Col. 5, lines 54 – 56) See also Col. 10, line 39 – Col. 11, line 8 wherein sales and sales information is discussed.

As to claim 22, see Col. 9, lines 33 – 36 wherein Bateman et al. teach using the IVR server to provide additional information, i.e., messages to the customer while waiting for the call to be set up, as when an agent is not immediately available.

As to claim 26, see Col. 5, lines 45 – 53, Col. 7, lines 14 – 21, line 65 – Col. 8, line 9 wherein an IVR server 40 is taught which could read upon the claimed "intelligent peripheral device." Looking at figure 1, if the call center 24 is based off of an intelligent network environment, all the servers besides merely the IVR server could be considered an intelligent peripheral.

As to claims 27 – 29, the above rejections make it inherent that telephony systems capable of interacting with the Internet and those capable of handling Voice over IP communications are necessarily used by Bateman et al.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat 5,884,032 (Bateman et al.)

As to claim 6, business identifiers are very old and well known in the call center arts and are merely another of identifying a customer and their needs. Inasmuch as the call center taught by Bateman et al. can be considered a standard call center except for its enhanced "Live Help" functionality, it would have been obvious for one of ordinary skill in the art to have implemented the use of business identifiers so as to allow for better service to VIP customers or repeat customers etc.

As to claim 8, Bateman et al. contemplates being able to use various types of switches for the ACD system and therefore since it is old and well known to use many platforms, it would also have been obvious for one of ordinary skill in the art at the time the invention was made to have employed a conference bridge for connecting the

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customer and agent. This is the most common use for such a system when the bridging of calls is required as does the system of Bateman et al., discussed above.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat 6,134,530 (Bunting et al.) teach a rule based routing system and method for a virtual sales and service center.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 703-305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

H.A.A.
September 18, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

